

Kansas Corporation Commission
Commission Meeting
November 22, 2022
10:00 a.m. - KCC Offices
1500 SW Arrowhead Rd., Topeka, Kansas

MINUTES

The Commission convened the regularly scheduled open meeting of the Commission at 10:00 a.m. on November 22, 2022, at the Kansas Corporation Commission, 1500 SW Arrowhead Road, Topeka, Kansas.

Present: Chair Keen, Commissioner Duffy and Commissioner French. The following were considered by the Commission:

1. **Consent Agenda:** Commissioner French moved for approval of the Items on the Consent Agenda dated November 22, 2022, containing pages one through four attached to these Minutes. Commissioner Duffy seconded the motion.

The motion was approved.

2. **Noticed Items:**

- A. **Docket No. Docket No. 21-CONS-3193-CPEN**

In the matter of the failure of Haas Petroleum, LLC (Operator) to comply with K.A.R. 82-3-407 at its Bahr #6 A, Burke A #WI 16, Luthi Dale #2 and Phillips #K 13 wells.

- Docket No. 21-CONS-3201-CPEN**

In the matter of the failure of Haas Petroleum, LLC (Operator) to comply with K.A.R. 82-3-407 at 18 Wells in Woodson County, Kansas.

- Docket No. 22-CONS-3031-CPEN**

In the matter of the failure of Haas Petroleum, LLC (Operator) to comply with K.A.R. 82-3-407 at ten wells in Greenwood and Woodson Counties, Kansas.

- Docket No. 22-CONS-3034-CPEN**

In the matter of the failure of Haas Petroleum, LLC (Operator) to comply with K.A.R. 82-3-111 at seventy-seven wells in Anderson, Coffey, Franklin, Greenwood, and Woodson Counties, Kansas.

- Docket No. 22-CONS-3099-CMSC**

In the matter of the Application of Haas Petroleum, LLC (Operator) for an Operator's License Renewal.

Commissioner French moved for approval of Order #22-2246 – Final Order. Commissioner Duffy seconded the motion.

The order was approved.

B. Docket No. 23-KGSG-281-TAR

In the Matter of the Petition of Kansas Gas Service, a Division of ONE Gas, Inc. for Approval by the Commission to Change its Gas System Reliability Surcharge per K.S.A. 66-2201 Through 66-2204.

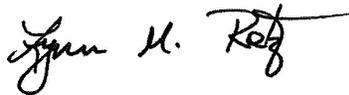
Commissioner French moved for approval of Order #22-2250 – Order Approving Gas System Reliability Surcharge. Commissioner Duffy seconded the motion.

The order was approved.

3. John Idoux, Governmental Affairs Director for Brightspeed, updated the Commission on company provisions for telecommunications and broadband services.

There being no further matters before the Commission, Commissioner French moved for adjournment of the Commission meeting. Commissioner Duffy seconded the motion. The Commission adjourned the November 22, 2022 Commission Meeting at 10:15 a.m.

Respectfully submitted,



Lynn M. Retz, Executive Director



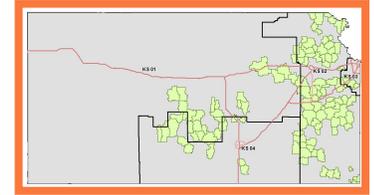
Dwight D. Keen, Chair



Susan K. Duffy, Commissioner



Andrew J. French, Commissioner



Infrastructure Updates Offer a Superior Customer Experience

- Brightspeed believes in the future of **fiber broadband** services and their increasing importance to consumers and businesses.
- Accelerating the upgrade of copper networks to fiber will vastly improve the lives of our customers, enhance America's competitiveness, and increase our ability to compete and grow our business.
- Brightspeed is leveraging the latest technology and innovations as part of our fiber network build, including the deployment of state-of-the-art 1G+ capable network equipment ("XGSPON") and the fiber necessary to deliver it to customers.
- Brightspeed will also work to improve the existing copper plant and explore innovative alternatives for broadband, where appropriate.
- Brightspeed will focus efforts on infrastructure that needs the most immediate attention to improve customer service.

A Commitment to Fast and Reliable Service

Uninterrupted Service

- A smooth transition with uninterrupted service provided by existing service and technical personnel.
- Brightspeed will use the same billing and customer care systems to ensure customer service operations transition smoothly and without interruption when it comes to bills, orders and service requests.

Brightspeed in Kansas

- Brightspeed previously announced plans to invest more than \$2 billion in its fiber optics transformation over its 20-state footprint, which is expected to reach up to 3 million homes and businesses over the next five years, including many locations where fiber and advanced technology have not historically been deployed.
- Brightspeed will work with key stakeholders at state, county, and city levels to expand fiber broadband in Kansas through participation in state and federal broadband infrastructure grant programs as they arise.
- A quality internet connection has never been more important, whether for work, health care, or education, and it is Brightspeed's mission to bring fiber-based broadband to our customers in Kansas.



Employee Continuity

Brightspeed believes the continuity of employees and systems is the best way to ensure that activation, provisioning, billing and trouble management will continue to serve customers and not be disrupted.

- Current customers continue to receive telecommunications and broadband services over existing facilities.
- No planned reduction in workforce.
- Regulatory continuity.
- Brightspeed will abide by all existing labor contracts and pension plans.

Contact Information



John Idoux

Governmental Affairs Director
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john.idoux@brightspeed.com



ITEMS OF Consent Agenda

Approval Date: Tuesday, November 22, 2022

NOTICE TO THE PUBLIC: There will be no separate discussion of Consent Agenda items as they are considered to be routine by the Kansas Corporation Commission. Unless removed from the website's Consent Agenda, the orders appearing on the Consent Agenda will become the Order of the full Commission at the Commission's regularly scheduled Business Meeting. If Commission staff or a Commissioner requests an item be removed from the Consent Agenda, the affected item may be considered separately or placed on the earliest possible Business Meeting agenda for discussion.

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
1	In the Matter of the Interconnection, Collocation, and Resale Agreement by and Between Metropolitan Telecommunications of Kansas, Inc. d/b/a MetTel and United Telephone Company of Kansas d/b/a Embarq, United Telephone Company of Eastern Kansas d/b/a Embarq, United Telephone Company of Southcentral Kansas d/b/a Embarq, and Embarq Missouri, Inc. d/b/a Embarq. <i>Order Approving Amended Agreement</i>	10-UTDT-272-IAT	
2	In the Matter of Certification of Compliance with Section 254(e) of the Federal Telecommunications Act of 1996 and Certification of Appropriate Use of Kansas Universal Service Fund Support. <i>Order Closing Docket</i>	22-GIMT-455-GIT	
3	In the Matter of the Complaint Against Totah Communications Inc. by Joseph A. LaFon. <i>Order Granting Unopposed Joint Motion to Dismiss Complaint</i>	23-TTHT-028-COM	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the Matter of the Application of Ninescah Rural Electric Cooperative Assn., Inc. for Permission to Cease Operating as a(n) Electric Public Utility in the State of Kansas. Order Granting Application to Cease Operations as an Electric Public Utility	23-NNHE-402-CCS	
5	In the Matter of the Application of Midwest Energy Inc. for a Certificate of Convenience and Authority to Transact the Business of a(n) Electric Utility Public Utility. Order Approving Certificate of Convenience Application	23-MDWE-403-COC	
6	In the Matter of the Application of Freedom Pipeline LLC, for Approval of its Dales for Resale Customer Contracts. Order Assessing Costs	23-FRPG-461-CON	
7	In the Matter of the Application of Freedom Pipeline LLC, for Approval of its Dales for Resale Customer Contracts. Suspension Order	23-FRPG-461-CON	
8	In the Matter of the Application of Magellan Pipeline Company, L.P. Filing Tariff Revisions for Commission Approval of Tariff K.C.C. No. 46. Order Assessing Costs	23-MGPP-467-TAR	
9	In the Matter of the Interconnection Agreement by and Between Teleport Communications America, LLC and Consolidated Communications of Kansas Company Order Assessing Costs	23-SFLT-469-IAT	
10	In the Matter of the Investigation of Long Haul Trucking LLC, of Shawnee, Kansas, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority. Order Reinstating Intrastate Motor Carrier Operations	23-TRAM-007-PEN	
11	In the Matter of the Investigation of KS Underground & Trailer Town Inc., of Wichita, Kansas, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority. Order Granting Staff's Motion to Vacate Penalty Order	23-TRAM-167-PEN	
12	In the Matter of the Investigation of SPORTSGEAR OUTDOOR PRODUCTS LLC dba ATHLON OPTICS, of OLATHE, Kansas, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority. Order Granting Staff's Motion to Vacate Penalty Order	23-TRAM-192-PEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
13	In the Matter of the Investigation of SUNJOY TRUCKING LLC, of WICHITA, Kansas, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority. <i>Order Granting Staff's Motion to Vacate Penalty Order</i>	23-TRAM-322-PEN	
14	In the Matter of the Investigation of PLX LIMITED TRANSPORT LLC dba PLX TRANSPORTATION, of OLATHE, Kansas, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority. <i>Order Granting Staff's Motion to Vacate Penalty Order</i>	23-TRAM-413-PEN	
15	In the Matter of the Emergency Suspension of Operating Authority of The Lion and His Ramp LLC d/b/a The Lion and His Ramp, of Olathe, Kansas, for Failure to Comply with New Entrant Safety Requirements as Required by the Motor Carrier Safety Statutes, Rules and Regulations. <i>Emergency Suspension of Operating Authority Order</i>	23-TRAM-463-OOS	
16	In the Matter of the Emergency Suspension of Operating Authority of Easexpress LLC, of Wichita, Kansas, for Failure to Comply with New Entrant Safety Requirements as Required by the Motor Carrier Safety Statutes, Rules and Regulations. <i>Emergency Suspension of Operating Authority Order</i>	23-TRAM-464-OOS	
17	In the Matter of the Emergency Suspension of Operating Authority of LG Logistics LLC, of Wichita, Kansas, for Failure to Comply with New Entrant Safety Requirements as Required by the Motor Carrier Safety Statutes, Rules and Regulations. <i>Emergency Suspension of Operating Authority Order</i>	23-TRAM-465-OOS	
18	Transportation orders to be approved by the Commission on the Consent Agenda. <i>Transportation Economic Order</i>	23-TRAM-5035-TRA	

The above-captioned matter(s) were approved by the Commission, unless noted as removed.

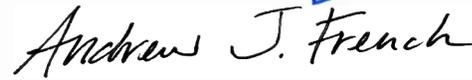
For the Commission :



Dwight D. Keen, Chair



Susan K. Duffy, Commissioner



Andrew J. French, Commissioner

Attest:


Lynn M. Retz
Executive Director

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Dwight D. Keen, Chair
 Susan K. Duffy, Commissioner
 Andrew J. French, Commissioner

Laura Kelly, Governor

Transportation Orders By Docket Number 23-TRAM-5035-TRA

Order Number	Description	Removed
20221115120225	<i>In the Matter of the Application of HEARTLAND HARVEST LLC of MEADE KS for the Abandonment of Certificate of Public Service.</i> USDOT #3001885 HEARTLAND HARVEST LLC of MEADE KS - Order Granting Request for Abandonment for Certificate of Public Service	
20221115132156	<i>In the Matter of the Application of FREDERICK CHRISTOFFEL VAN STADEN of JOHNSON KS for Authority for a Certificate of Public Service.</i> USDOT #3973825 FREDERICK CHRISTOFFEL VAN STADEN of JOHNSON KS - Order Granting Application for Certificate of Public Service	
20221115132501	<i>In the Matter of the Application of LA TRANSPORT LLC of LIBERAL KS for Authority for a Certificate of Public Service.</i> USDOT #3969016 LA TRANSPORT LLC of LIBERAL KS - Order Granting Application for Certificate of Public Service	
20221115133000	<i>In the Matter of the Application of SUPERIOR ATHLETIC FIELDS of HARPER KS for a Private Carrier Permit.</i> USDOT #3980224 SUPERIOR ATHLETIC FIELDS of HARPER KS - Order Granting Application for a Private Carrier Permit	
20221115153002	<i>In the Matter of the Emergency Suspension of Authority of MARIAH E ALIRES of GARDEN CITY KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #3670331 MARIAH E ALIRES of GARDEN CITY KS - Emergency Order Suspending Authority	
20221115153002	<i>In the Matter of the Emergency Suspension of Authority of GRP EXPRESS LLC of PITTSBURG KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2825459 GRP EXPRESS LLC of PITTSBURG KS - Emergency Order Suspending Authority	
20221115153002	<i>In the Matter of the Emergency Suspension of Authority of JOHNATHANS TRUCKING LLC of SYRACUSE KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2925949 JOHNATHANS TRUCKING LLC of SYRACUSE KS - Emergency Order Suspending Authority	

**Transportation Orders By Docket Number
23-TRAM-5035-TRA**

Order Number	Description	Removed
20221116104531	<i>In the Matter of the Application of KDR TRANSPORT LLC of WICHITA KS for Authority for a Certificate of Public Service.</i> USDOT #3952975 KDR TRANSPORT LLC of WICHITA KS - Order Granting Application for Certificate of Public Service	
20221116104829	<i>In the Matter of the Application of VALERIA GUADALUPE AGUILAR BATISTA of GARDEN CITY KS for Authority for a Certificate of Public Service.</i> USDOT #3946748 VALERIA GUADALUPE AGUILAR BATISTA of GARDEN CITY KS - Order Granting Application for Certificate of Public Service	
20221116105042	<i>In the Matter of the Application of ERIBERTO JOSE HOLGUIN of LEWIS KS for Authority for a Certificate of Public Service.</i> USDOT #1657405 ERIBERTO JOSE HOLGUIN of LEWIS KS - Order Granting Application for Certificate of Public Service	
20221116145851	<i>In the Matter of the Application of LUCAS TOWING OF KANSAS LLC of SALINA KS for Authority for a Certificate of Public Service.</i> USDOT #3981098 LUCAS TOWING OF KANSAS LLC of SALINA KS - Order Granting Application for Certificate of Public Service	
20221117135654	<i>In the Matter of the Application of WHY NOT US TRANSPORT LLC of COUNCIL GROVE KS for Authority for a Certificate of Public Service.</i> USDOT #3740051 WHY NOT US TRANSPORT LLC of COUNCIL GROVE KS - Order Granting Application for Certificate of Public Service	
20221117140946	<i>In the Matter of the Application of EXTREME DIESEL LOGISTICS INC of HARPER KS for Authority for a Certificate of Public Service.</i> USDOT #3965423 EXTREME DIESEL LOGISTICS INC of HARPER KS - Order Granting Application for Certificate of Public Service	
20221117153002	<i>In the Matter of the Emergency Suspension of Authority of DALES TOW SERVICE INC of OLATHE KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #609620 DALES TOW SERVICE INC of OLATHE KS - Emergency Order Suspending Authority	
20221117153002	<i>In the Matter of the Emergency Suspension of Authority of ECTOR MANUEL LOPEZ CHAVIRA of LIBERAL KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2113985 ECTOR MANUEL LOPEZ CHAVIRA of LIBERAL KS - Emergency Order Suspending Authority	
20221117153002	<i>In the Matter of the Emergency Suspension of Authority of ACOSTA HOMES INC of HOLCOMB KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #841781 ACOSTA HOMES INC of HOLCOMB KS - Emergency Order Suspending Authority	

Total # of Orders:

16

End of Report